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ECONOMIC, SOCIAL AND CULTURAL RIGHTS

Human rights and extreme poverty

Report submitted by Ms. A.-M. Lizin, independent expert,
pursuant to Commission resolution 1999/26

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SUMMARY

The question of extreme poverty lies at the heart of a debate which has been taking place in the Commission on Human Rights over the past five years, a debate intended finally to accord the economic, social and cultural rights the priority that they deserve. The independent expert on the question of human rights and extreme poverty, Anne-Marie Lizin, was appointed for a period of two years and was requested inter alia to assess the best practices in the fight against extreme poverty as part of the follow-up of the Copenhagen World Summit for Social Development (resolutions 1998/25 and 1999/26). The independent expert submitted an interim report (E/CN.4/1999/48) to the Commission at its fifty-fifth session.

The present report and the reports of the Secretary-General to the Economic and Social Council ("Poverty eradication, capacity-building, resources and funding, and the executive boards of the United Nations funds and programmes", E/1999/55) and to the General Assembly ("Implementation of the first United Nations Decade for the Eradication of Poverty (1997-2006)", A/54/316) give an overview of the most relevant current activities of the United Nations in the fight against extreme poverty.

During the second year of her mandate the independent expert visited several countries (Albania, Algeria, Benin, Burundi, Ecuador, Gabon, former Yugoslav Republic of Macedonia, Lebanon, United States of America). She also received many replies to the questionnaire which she had sent to all States. As part of her participation in a discussion group during the substantive session of the Economic and Social Council in Geneva (5-30 July 1999) the independent expert presented a paper on "National policies and international cooperation for employment-oriented growth: impact on poverty reduction and gender equality". She also took part in a workshop on a possible draft declaration on human rights and extreme poverty (resolution 1999/26, para. 7); this meeting was held in Geneva on 30 and 31 August 1999 (see E/CN.4/2000/52/Add.1).

The final report stresses the need to incorporate a human and social dimension in the globalization process in order to inject more vigour into the strategies for combating extreme poverty. The emphasis is on the universal and multidimensional nature of extreme poverty. Extreme poverty, regarded as a denial of all human rights, establishes an indissoluble link between each of the rights attached to the individual. The final report also highlights the activities of the various development actors in combating extreme poverty. Special attention is paid to the practices of States, the actions of the United Nations system, the Bretton Woods institutions, and non-governmental agencies, in particular local authorities. The State bears the primary responsibility for fighting against extreme poverty.

The following are the independent expert's main recommendations:

(a) The establishment of a world alliance for the eradication of extreme poverty, which would bring together all the main development actors under a strategy drawn up as part of a universal text;

(b) The evaluation by the Bretton Woods institutions of the social impact of their policies on the poorest communities;

(c) The responsibility of the State (political will) and promotion of good governance through national capacity-building;

(d) International solidarity with the States of the third world should be expressed through the objective of allocating 0.7 per cent of national budgets to official development assistance;

(e) The 20/20 Initiative must also be encouraged, together with the transfer of national and international resources from the military to the soc sector;

(f) The promotion of decentralization and an increased role for local authorities in the eradication of extreme poverty;

(g) The recognition of the right to civil a status for the poorest people, especially for girls;

(h) The development of microcredit institutions for the poorest groups

(i) All legislation should establish the right of all persons falling within its scope to a guaranteed minimum income and should allocate the necessary resources for this purpose;

(j) The development of special measures to help the poorest communitie in particular women, children, the elderly, and ethnic minorities;

(k) The promotion of information and education for the poorest people concerning their rights, using appropriate and accessible methods (outreach services, media, handbooks and cartoon strips);

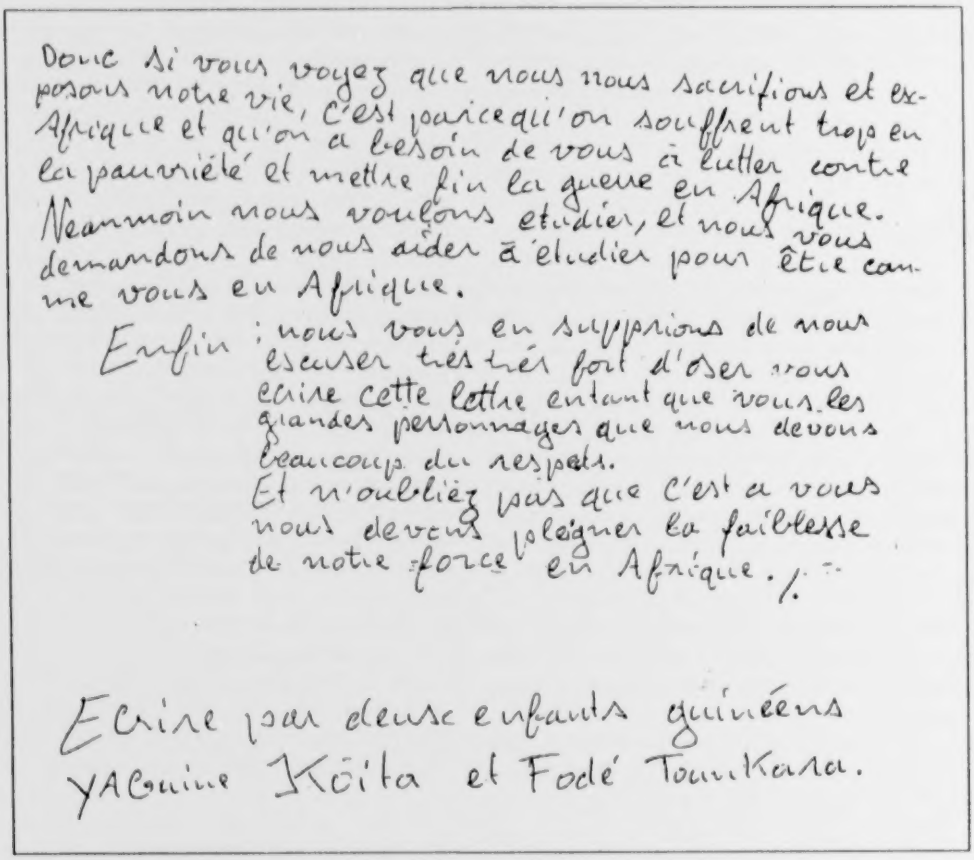
(l) Training and awareness-raising for police forces and social worker in human rights in general and in the phenomenon of extreme poverty in particular;

(m) The maintenance and consolidation of peace in countries riven by armed conflict. International economic sanctions must not be allowed to aggravate situations of extreme poverty in the countries in question.

EPIGRAPH

On 3 August 1999 two young Guineans (aged 14 and 15) who were trying to get to Belgium were found dead from exposure in the undercarriage of a Sabena aircraft arriving from Africa.

Here is the last part of the moving letter which they had brought with them:


Donc si vous voyez que nous nous sacrifions et exposons notre vie, c'est parce qu'on souffrent trop en Afrique et qu'on a besoin de vous à lutter contre la pauvreté et mettre fin la guerre en Afrique. Neanmoin nous voulons etudier, et nous vous demandons de nous aider à étudier pour être comme vous en Afrique.

Enfin ; nous vous en supplions de nous excuser très très fort d'oser vous ecrire cette lettre entant que vous les grandes personnages que nous devons beaucoup du respets.
Et n'oubliez pas que c'est a vous nous devons pleigner la faiblesse de notre force en Afrique. /.

Ecrire par deux enfants guinéens
YAGuine Kõita et Fodé Tounkara.

"So if you see that we are sacrificing ourselves and risking our lives, it is because people are suffering too much in Africa and need you to fight against poverty and put an end to the war in Africa. But we want to study and we ask you to help us to study so that we can be like you in Africa. Lastly: we beg you very much to excuse us for daring to write you this letter because you are very important people that we have to respect a lot. And don't forget it's you we have to blame for our weakness in Africa. Written by two Guinean children. Yaguine Koita and Fodé Tounkara".

Introduction

1. In 1999 the proportion of persons living in poverty was stable in comparison with 1993, but numerically there were 1.5 billion living in absolu poverty at the dawn of the new millennium [Report of the Secretary-General, "Implementation of the First United Nations Decade for the Eradication of Poverty (1997-2006)", A/54/316, para. 15].

2. Starting in the early 1990s, the Commission on Human Rights established link between extreme poverty and the exercise of human rights. The Subcommission on Prevention of Discrimination and Protection of Minorities wa requested to consider this phenomenon by Commission resolution 1990/15. The Special Rapporteur, Mr. Leandro Despouy, produced the first study on human rights and extreme poverty (E/CN.4/Sub.2/1996/13). In view of the proclamat of the United Nations Decade for the Eradication of Poverty (1997-2006) and part of the follow-up of the World Summit for Social Development, the Commis decided to appoint, for a period of two years, an independent expert on the question of human rights and extreme poverty (resolution 1998/25).

3. On the basis of this first mandate the independent expert submitted an interim report (E/CN.4/1999/48) to the Commission at its fifty-fifth session The Commission reaffirmed that the elimination of extreme poverty and exclus from society require urgent national and international action and, welcoming observations contained in the report [...] to the effect that the lack of political commitment, not financial resources, is the real obstacle to pover eradication, it invited the independent expert to continue her reflexion, in accordance with her mandate, with a view, in particular: (a) to reporting on activities to the Commission on Human Rights at its fifty-sixth session, underlining in particular the best practices observed during her visits and making this report available to the Commission for Social Development and th Commission on the Status of Women, as appropriate, for their sessions during same year; and (b) to contributing to the General Assembly's evaluation in 2 of the World Summit for Social Development by making her final report and conclusions available to the preparatory committee for the special session o the General Assembly devoted to that evaluation, taking into account, as requested by the General Assembly, the efforts of the poorest people themsel and the conditions in which they can convey their experiences (resolution 1999/26).

4. Like all the independent experts and special rapporteurs appointed by t Commission, the independent expert was requested to take into account, as pa of her mandate, the issue of globalization and its impact on the full enjoym of all human rights (resolution 1999/59).

5. During the second year of her mandate the independent expert visited several countries (Albania, Algeria, Benin, Burundi, Ecuador, Gabon, former Yugoslav Republic of Macedonia, United States of America). She also receive many replies to the questionnaire which she had sent to all States. As part her participation in a discussion group during the substantive session of th Economic and Social Council in Geneva (5-30 July 1999) the independent exper presented a paper on "National policies and international cooperation for employment-oriented growth: impact on poverty reduction and gender equality" She also took part in a workshop on a possible draft declaration on human ri

and extreme poverty (resolution 1999/26, para. 7). This meeting took place in Geneva on 30 and 31 August 1999 (see the final report of the workshop on human rights and extreme poverty, E/CN.4/2000/52/Add.1).

6. Continuing on from the interim report, this final report stresses the fact that extreme poverty is a denial of all human rights. Extreme poverty thus establishes an indissoluble link between each of the rights accorded to the individual. States bear the primary responsibility for giving effect to all the rights of the extremely poor. The present report also deals with the efforts of the various development actors to assert the rights of the extremely poor, emphasizing in particular the actions of the Bretton Woods institutions, the integrated approach taken by the United Nations, the increasing role of non-governmental agencies, and the anti-poverty practices of States.

I. EXTREME POVERTY: A DENIAL OF ALL HUMAN RIGHTS

7. At the workshop (see para. 22 of the report of the workshop on extreme poverty and human rights) many experts questioned the usefulness of adding the adjective "extreme" to "poverty". The independent expert also thought it appropriate to offer a scientific justification for the use of this terminology by the Commission.

8. The topic of extreme poverty was addressed for the first time in the United Nations in resolution 1988/47 of the Economic and Social Council. "Extreme poverty" suggests not merely material deprivation but also social exclusion. The extremely poor cannot express themselves or play a part in the communities in which they live. The addition of "extreme" does indeed establish a ranking between degrees of poverty but it is justified by the existence of "absolute poverty", which has been steadily increasing for some 10 years now.

9. Within the framework of the United Nations Decade for the Eradication of Poverty (1997-2006) the General Assembly set itself two distinct goals: to eradicate absolute poverty and to reduce substantially overall poverty in the world (resolution 53/198). Extreme poverty in particular and poverty in general have two main features: they are multidimensional and they are universal. But they are distinguished by a third element: extreme poverty is a violation of all human rights.

10. Extreme poverty is a multidimensional social phenomenon which cannot be reduced to mere quantitative values such as economic and social indicators. Definitions of extreme poverty and of poverty in general vary according to sex, age, culture and economic and social circumstances. Moreover, extreme poverty is evolutive and may change in nature.

11. Extreme poverty is a universal phenomenon, at the national and international levels. At the national level all countries - rich or poor -have situations of extreme poverty, although of course to differing degrees. At the international level many States on all continents are affected by extreme poverty. They belong to the category of the least developed countries and are classified as countries with average or poor human development in the UNDP Human Development Report.

12. Extreme poverty constitutes lastly and above all a violation of all human rights. Here again the distinction between poverty and extreme poverty is justified. An individual in a situation of poverty still has the possibility of exercising certain rights, whereas extreme poverty implies a total lack of resources and means of social integration.

A. The indivisibility of the rights of the extremely poor

13. The Vienna Declaration and Programme of Action emphasize that widespread extreme poverty inhibits the full and effective enjoyment of human rights. More recently General Assembly resolution 53/146 of 8 March 1999 recognized that surmounting extreme poverty constituted an essential means to the full enjoyment of political, civil, economic, social and cultural rights and reaffirmed the interrelationship between these goals.

14. Extreme poverty thwarts the exercise of the right to an adequate standard of living (art. 25 of the Universal Declaration of Human Rights), and because all aspects of life are interdependent the extremely poor are deprived of all their rights. Most of the time they have no civil existence, are excluded from economic and social life, and cannot exercise their rights, especially the ones relating to their most vital needs. Extreme poverty therefore constitutes the most vivid example of the indissoluble link which binds the various human rights to each other.

15. A consensus has recently emerged among many international observers and experts that priority should be given to the exercise of three fundamental rights: the right to food, the right education, and the right to primary health care. Without trying to establish a ranking between rights, the point of this approach is to show that there are some rights whose minimal exercise is essential to the survival and development of individuals and peoples. Mr. Robert S. McNamara, a former president of the World Bank, stressed that the poor countries had the fundamental right to a minimum of food, health care and education. The meaning of this approach is fully apparent in the case of extreme poverty, where the measures taken, if focused on the essential needs of the poorest people, make it possible to break the circle of deprivation and dependence.

1. The right to food

16. The Committee on Economic, Social and Cultural Rights affirms in its General Comment 12 (E/C.12/1999/5) on article 11 of the International Covenant on Economic, Social and Cultural Rights that the right to adequate food is inseparable from social justice, requiring the adoption of appropriate economic, environmental and social policies oriented to the eradication of poverty and the fulfilment of all human rights for all.

2. The right to health

17. A comprehensive analysis of national efforts to facilitate the access of vulnerable groups to adequate health services reveals the shortcomings due to the lack of a coherent programme for the promotion and protection of "health rights" at both the national and global levels. It underlines the persisting need for more efficient policies to reverse the effects of discrimination in

this field against the poorest, the elderly, persons with physical or mental disability and those suffering from epidemic diseases.

3. The right to education

18. The fundamental role of primary education must be stressed. UNESCO emphasises the crucial role of primary education in poverty eradication, especially in the case of women and girls. The programme "Non-formal primary education" gives a second chance for poor children eventually to rejoin a formal education system.

B. The prior responsibility of States

19. In paragraphs 18-27 of her interim report the independent expert discussed the obligations of States. Their first responsibility is to combat extreme poverty. The lack of political commitment is one of the main reasons for the stagnation of extreme poverty in the status quo.

20. The low rate of accession of the extremely poor States to the universal human rights instruments, in particular the two international human rights covenants of 1966, is symptomatic of the lack of political commitment of a good number of these States. However, experience shows that even when a State afflicted by extreme poverty ratifies these international instruments they are only rarely put into effect.

21. Most of the States which have not acceded to the two 1966 covenants are least developed countries and classified among the countries with average or poor human development. It must also be stressed that many of them, especially in the Pacific and South-East Asia regions, belong to the category of "small island developing States".

22. It is also important to note that, apart from the lack of political will, there are difficulties connected with the poor institutional capacity of the extremely poor countries. The degeneration of the administrative and coercive functions of the State and of its capacity to ensure the operation of public services sometimes turns the implementation of the international human rights instruments into an illusion. Weak performance of the taxation function impoverishes a State and makes it incapable of fighting poverty.

23. During her visit to Burundi the independent expert was able to observe the difficulties of the implementation of the human rights instruments in a country which has ratified many of them. The civil war and the subsequent economic embargo have had disastrous consequences for this country. Armed conflicts and civil wars are human tragedies which generate extreme poverty. The independent expert's visits to Albania, the former Yugoslav Republic of Macedonia, and Ecuador (in conflict with Peru) confirmed this state of affairs. It is essential to promote the maintenance and building of peace, especially in the context of the International Year for the Culture of Peace.

24. Financial crises are another basic cause of the impoverishment of many countries, or even of entire regions of the world - South-East Asia for instance. In its reply to the independent expert's questionnaire Indonesia states that in 1999 some two-thirds of its population was living below the

poverty line. It also refers to the difficulties of implementing the human rights instruments, especially when it comes to incorporating the international norms in the domestic legal system.

25. Natural disasters may also have a devastating impact on a people's standard of living, as has been the case in Latin America for example. During her visit to Ecuador the independent expert was able to observe the effects of El Niño on the country's economy, many months after that climatic phenomenon occurred.

II. THE ACTION TAKEN BY THE VARIOUS DEVELOPMENT ACTORS TO REALISE THE RIGHTS OF THE EXTREMELY POOR

26. The idea of the solidarity of the international community is gradually being replaced by the idea of globalization through trade liberalization and the promotion of the market economy. It is here that one of the main problems comes into play, a problem originating in a very controversial debate: how to incorporate the fight against extreme poverty, and thus the poorest people's right to development, in the globalization process?

27. The solution lies inevitably in the incorporation of a human and social dimension in that process. A study of the action taken by the various development actors to give effect to the rights of the extremely poor illustrates the efforts made by the international community.

A. The incorporation of a human and social dimension in the work of the Bretton Woods institutions

28. During her visit to Washington the independent expert observed the new orientation of the work of the international financial institutions. At the heart of this approach lies the Comprehensive Development Framework.

1. The Comprehensive Development Framework

29. This initiative, launched in 1998 by the World Bank, is based on the principle that an appropriate financial and macroeconomic framework is essential to any action, but that the social, structural and human aspects are essential too. At the meeting of the working group on a possible draft declaration on human rights and extreme poverty some of the experts stressed the importance of examining the potential of the new approach proposed by the World Bank as a tool for combating extreme poverty.

30. The incorporation of a human and social dimension can also be seen in the activities of IMF. For example, for several countries, especially the most heavily indebted, including Ecuador, a specific clause has been introduced in the agreements concluded with IMF in order to protect the social agenda established by the Governments in question.

2. The heavily indebted poor countries

31. A joint initiative has been launched by IMF and the World Bank to relieve the debt of the heavily indebted poor countries. Initially 23 of the

43 countries regarded by the World Bank as the planet's poorest were able to participate in this programme. The Group of Eight relaunched the initiative in June 1999 at its Cologne summit. Forty-three countries are now eligible, even if the means of financing are not yet available. There remains the crucial issue of monitoring the allocation of budget spending in the recipient countries. This will mean ensuring that the funds are being used to reduce poverty and not for other purposes, for example to boost military expenditure.

3. Participatory poverty assessment

32. Participatory poverty assessment is an interactive research procedure designed to deliver an understanding of the phenomenon of poverty through the direct participation of, among others, the extremely poor. A recent World Bank study summarizes this participation in 33 countries throughout the world (*A Review of World Bank Participatory Poverty Assessments. Consultations with the Poor*, 1999). This review is an essential contribution to the Human Development Report 2000/1 on poverty and development.

4. Microcredit

33. In her interim report the independent expert stated that the first priority for microcredit must be to reduce dependence on usury and to widen access to credit at viable commercial rates (E/CN.4/1999/48, para. 72). According to the report of the Preparatory Committee for the special session of the General Assembly on the implementation of the outcome of the World Summit for Social Development and consideration of new initiatives, microcredits are often not the answer for the poorest of the poor, as the means of this group are so meagre that they cannot take up credit at the prevailing interest rates. Governments must therefore institute special policies and programmes to ensure that the basic survival needs of this group are met (A/53/45, para. 65).

34. Reference must be made to the Consultative Group to Assist the Poorest in connection with the various microcredit measures already mentioned in the independent expert's interim report (paras. 73-80). This World Bank initiative brings the Western donor countries and the international institutions together to work out a response to microcredit problems.

B. The integrated approach of the United Nations

35. In 1992 a publication of the Department of Economic and Social Development entitled "Poverty alleviation and sustainable development: goals in conflict?" presented the recommendations of the Committee for Development Planning. One of the main conclusions contained in the Committee's report (ST/ESA/234) was the need to improve the coordination of the activities of the whole United Nations system in the economic and social areas, especially with regard to poverty alleviation. Since the holding of the world conferences of the 1990s and the reform initiated by the Secretary-General of the United Nations in 1997, efforts have been made to integrate United Nations activities in a much more coherent system.

1. The United Nations world conferences

36. During the 1990s the United Nations held a series of world conferences which addressed the question of poverty as one of the main problems of the century's end. It is clear from a reading of the various international texts produced by these conferences (conventions, declarations, programmes of action) that impoverishment is one of the main obstacles confronting individuals and States in the exercise of their right to development. Among all these conferences, special mention must be made of the Vienna World Conference on Human Rights, the Beijing Fourth World Conference on Women, and the Copenhagen World Summit for Social Development.

37. The Vienna Declaration and Programme of Action (see Report of the World Conference on Human Rights, A/CONF.157/24) established a permanent link between extreme poverty and absence of the full and effective exercise of their rights by the extremely poor, stressing in particular that extreme poverty and social exclusion constitute a violation of human dignity.

38. The 1995 Beijing Declaration (A/CONF.177/20) emphasized among other things the persistence of the inequalities between women and men, a situation exacerbated by the increasing poverty that is affecting the lives of the majority of the world's people, in particular women and children.

39. Commitment 2 of the Copenhagen Declaration (1995 World Summit for Social Development, A/CONF.166/9), on the eradication of poverty in the world, is based on the action of States, at the national level, in partnership with all actors of civil society. Subparagraph (b) of this provision refers implicitly to certain fundamental rights of the individual, including the right to food, the right to education, the right to work, the right to health, the right to adequate housing, and the right to social and cultural participation.

40. In order to ensure the follow-up of the World Summit the General Assembly decided in its resolution 52/25 to establish a preparatory committee for its special session in 2000 for an overall review and appraisal of the implementation of the outcome of the Copenhagen Summit. With regard to Commitment 2, at its last substantive session of 1999 the Preparatory Committee emphasized the role which the United Nations system should play in poverty eradication.

41. In Commission resolutions 1998/25 (para. 6 (e)) and 1999/26 (para. 6 (b)) the independent expert was requested to contribute to the General Assembly's evaluation in 2000 of the World Summit for Social Development by making her final report and conclusions available to the Preparatory Committee for the special session of the General Assembly devoted to that evaluation.

2. The United Nations Decade for the Eradication of Poverty

42. The goal of the first United Nations Decade for the Eradication of Poverty (1997-2006) is to eliminate extreme poverty by means of national action and international cooperation. In 1997, as part of the observance of the International Year for the Eradication of Poverty, the Secretary-General of the United Nations expressed the view in his report to the General Assembly that the main requirement is to achieve stronger political commitment. He also stated

that poverty eradication is far more than just a national or international issue; every individual has the capacity to make a contribution, in particular through personal expressions of human solidarity (A/52/573, paras. 60 and 61).

3. Inter-agency action

43. In order to follow up the Statement for Action to Eradicate Poverty, which it had adopted in May 1998 (see interim report, E/CN.4/1999/48, paras. 52-62), in March 1999 the Administrative Committee on Coordination (ACC) adopted a poverty matrix. This reference document, drafted by the Consultative Committee on Programmes and Operational Questions, a subsidiary organ of ACC, is structured in the form of a table identifying the areas of intervention of the United Nations system. The matrix contains several provisions relevant to human rights (health, education, food, right to development).

44. In view of the upheavals in international society caused by inter alia globalization, in 1997 the Secretary-General of the United Nations launched a Programme for Reform designed to improve the coherence of the measures introduced in the United Nations system. This Programme provided for the creation of four executive committees, including the Executive Committee on Economic and Social Affairs and the United Nations Development Group (A/51/950 and Add.1-7). The United Nations Development Assistance Framework (UNDAF) is being developed by this Group. It was within this new structure that the Ad Hoc Group on Poverty was created in May 1999. Since then the working group has undertaken the preparation of a strategy to be implemented by the United Nations to halve by 2015 the number of people living in extreme poverty. The latest version of the strategy, dated 10 November 1999, sets out the future bases for the integrated approach of the United Nations system.

45. According to this strategy, the priority activities of the United Nations at the national level will be concentrated within the mechanisms of the UNDAF Common Country Assessment under the leadership of the United Nations resident coordinator.

4. Action by the Economic and Social Council

46. In his Statement on Poverty Eradication the President of the Economic and Social Council set out six strategic priorities. Where human rights are concerned, this Declaration focuses in particular on participation by the poor, promotion of the indivisible rights of women, employment, sustainable food security, the environment, the right to adequate housing, primary health care, universal access to primary education, good governance through respect for democracy, the rule of law in States, and respect for human rights.

5. The NetAid initiative

47. The purpose of the NetAid programme launched by UNDP is to promote, among other things, the right to information for the poorest people. The Internet, as an essential vehicle of the globalization of information, offers a new means of combating extreme poverty. Experience is showing that use of the Internet has a favourable impact on the process of eradicating extreme poverty in several areas: emergency situations (natural disasters, endemic diseases, AIDS), training, employment, education, the environment, etc.

6. The integrated framework of the World Trade Organization

48. The World Trade Organization (WTO) should take into consideration the role that the multilateral trade system could play in the eradication of extreme poverty. Trade liberalization and globalization have of course created many opportunities for the developing countries. But it must be pointed out that they have also strengthened the mechanisms of exclusion in the development of many economies.

49. At their first conference, in Singapore in 1996, the WTO ministers adopted the Comprehensive and Integrated WTO Plan of Action for the Least Developed Countries. This integrated framework envisages close cooperation between WTO and other bodies (World Bank, IMF, ITC, UNCTAD, UNDP) in order to furnish assistance in trade matters, including human and institutional capacity-building (WT/MIN(96)/14).

7. The partnership between the United Nations and the private sector

50. A number of initiatives have been born of the partnership between the United Nations and the private sector initiated in 1998, including one warranting particular attention here. The programme "Global Sustainable Development Facility" has brought big multinational corporations together with UNDP to develop a partnership between the United Nations and the private sector with a view to providing access to world markets for more than two billion poor people by 2020.

C. The increasing role of players acting independently of States

51. One of the main beneficial consequences of globalization has been the involvement of new protagonists - other than States - in development matters, in particular poverty eradication. This demonstrates the need to extend participation to a great variety of interlocutors working to combat poverty, such as civil society organizations, NGOs, the private sector, community-based organizations, local authorities, and the poor communities themselves (Report of the Secretary-General on poverty eradication, capacity-building, resources and funding, and the executive boards of the United Nations funds and programmes, E/1999/55, para. 54).

1. The importance of local authorities in poverty eradication

52. In demographic terms the extremely poor are becoming more sedentary. They move only rarely if at all, except when they become refugees. This fact underlines the usefulness of action at the local level. The scale of the policies to combat extreme poverty carried out by local authorities depends on the nature of their skills, their fiscal capacity, and their financial means. At two forums on the action taken by towns to fight against extreme poverty, organized with the help of UNDP and the World Alliance of Cities against Poverty in Algiers and Perugia, the independent expert observed the vitality and motivation of towns in that fight. She also expressed the view that the towns of the North must institute twinning and cooperation programmes with the towns of the South.

53. The role of police forces is a very important one, again as part of a local approach. During her various visits the independent expert noted the frequency of contacts between extremely poor people and the police: police officers very often provide their only daily contact with representatives of the public authorities. Very few police officers have been trained to deal with social problems or to understand the phenomenon of the social exclusion of the poorest people. In Hungary there is a formal agreement between the police and an association for the homeless; this is an approach deserving encouragement.

54. The independent expert also considers that a women's affairs section should be set up in each police department, for very many of the extremely poor are women, and once they begin to be criminalized they are more likely to fall victim to abuse of every kind.

55. Community-based organizations and NGOs are also very active in the fight against extreme poverty. During her various visits the independent expert observed the very effective activities conducted by a number of NGO networks: Twitezimbere in Burundi, religious communities in Lebanon, International Movement ATD Fourth World in France, Terre in Belgium (outside its country of origin), and RED in Guayaquil, Ecuador (representing 40 NGOs). However, according to a recent World Bank study, this community-based role is limited to informal networks. It is a task for NGOs to identify these networks and help them to organize themselves so as to secure legal recognition.

2. Women, central targets of anti-extreme-poverty measures

56. The extremely poor, especially women and girls, must be the principal actors in and targets of anti-extreme-poverty strategies. Most of the experts at the workshop on human rights and extreme poverty stressed the importance of the involvement of the poorest people in the formulation of strategies to combat extreme poverty (see also the 1996 study "Reaching the poorest" produced by International Movement ATD Fourth World and UNICEF). Women and girls are the most vulnerable of the extremely poor. The independent expert identified a number of areas in which immediate action should be envisaged.

(a) Women in prison

57. During her visits the expert studied the plight of women in prison in several States. National and international investigations must be conducted into women's prisons. Reception centres must be set up in these prisons. And on the outside there must be reception centres run by trained staff to facilitate the social reintegration of women released from prison. Nowhere in the world is human suffering greater than in women's prisons. Swift action must be taken to help the women languishing in these places without hope - in the sense that they will never find the money to pay their fines. The expert recommends that high priority should given to this matter.

(b) Prostitution

58. The increase in prostitution and trafficking in humans is a perceptible phenomenon in most of the countries visited. This manifestation of extreme poverty affects women and girls and children in general. Sweden recently introduced legislation designed to penalize the clients of prostitutes. The

expert recommends: (a) the dissemination of the study which led to the adoption of the Swedish legislation; (b) the development of police and legal measures to combat the traffic in human beings; (c) the installation of a women's affairs section in each police department, since women account for a large percentage of the extremely poor and, once they begin to be criminalized, they are more likely to fall victim to abuse of every kind; and (d) the inclusion of a specific component on respect for women's rights in police training. The exponential increase in prostitution is a reflection of the spread of poverty. Prostitution is a cancer that must be excised from the activities on which trafficking, Mafia operations and corruption are based. The ultimate goal is a complete ban on prostitution, for its very existence is an affront to women's dignity.

(c) Civil status

59. A declaration of civil status at birth is essential for all children and in particular for girls born to extremely poor mothers. The expert was able to gauge the risks resulting from the lack of a civil-status document for girls in the poorest communities: Indians in Ecuador, Gypsies in Bulgaria and the former Yugoslav Republic of Macedonia, and Twas in Burundi. This basic document is a first line of defence against the sale, slavery and prostitution of children, especially girls.

(d) Microcredit

60. Despite the difficulties of providing microcredit for the poorest people, it turns out that women are the most reliable borrowers. Microcredit providers must address the participation of the poorest women as a key component in the fight against extreme poverty. They must also give these women a role in the management of mutual associations.

D. The practice of States

61. The globalization process has not diminished States' capacity for action in development matters. There has merely been a redefinition of their role following the entry of new actors. At the 1995 World Summit for Social Development (A/CONF.166/9) 118 heads of State or Government committed themselves to the goal of eradicating poverty in the world through decisive national actions and international cooperation, as an ethical, social, political and economic imperative of humankind (Commitment 2). According to a UNDP report on 130 countries surveyed, three years after the Summit 78 of them now have stand-alone plans for poverty reduction or have an explicit component on poverty reduction within their national planning framework. A further 40 countries have national anti-poverty strategies under development (*Overcoming Human Poverty*, UNDP, New York, 1998, p. 22). The United Nations must now evaluate the implementation of these national action plans. On the basis of her various visits and the replies to the questionnaire sent to States the independent expert identified 13 categories of measures or programmes regarded as effective practices for combating extreme poverty. She decided to compose a questionnaire for Member States to obtain information about certain useful elements of national policies to combat extreme poverty in relation to the exercise of human rights. These elements include: decentralization and the role of local authorities; the link between national human rights institutions and social action; a guaranteed minimum income; social services in police forces; the

relationship between prison and the extremely poor; and the fact that some extremely poor groups do not obtain civil status.

62. Many Member States sent detailed replies to the questionnaire.1/ Some of them thought that their national action plans contained suitable responses. The expert believes that, ideally, one of the best national strategies that a State can carry out in its territory to combat extreme poverty will consist of the following 13 practices: (1) legislation on a minimum guaranteed income; (2) microcredit; (3) active local authorities; (4) social investment funds; (5) linkage of social assistance with employment by means of reintegration; (6) encouragement of education, particularly for girls; (7) legal assistance; (8) monitoring of prisons; (9) participation of the poorest people in information programmes; (10) police training; (11) anti-corruption legislation; (12) specific measures targeted on disadvantaged groups; and (13) price supports for basic goods. The following reference grids illustrate the impact of these 13 types of practice on certain human rights.

1/ The following countries have replied to the questionnaire: Algeria, Australia, Barbados, Benin, Brunei Darussalam, Burundi, Canada, Colombia, Costa Rica, Croatia, Cyprus, Ethiopia, Finland, Georgia, Germany, Ghana, Indonesia, Jamaica, Japan, Lebanon, Luxembourg, Mali, Morocco, Mozambique, Nepal, Oman, Republic of Korea, Republic of Moldova, Slovakia, Slovenia, Sweden, Switzerland, Syrian Arab Republic, Turkey, United Kingdom, United States, Uruguay and Viet Nam.

Analysis of anti-poverty successes
Human rights and extreme poverty
(Reference grid (part 1)

	1 Guaranteed minimum income (Act)	2 Micro-finance and banking procedures in place	3 Local authorities with real power to help	4 Social investment funds	5 Social welfare- employment link through occupational integration
Recommended reference texts	French, Portuguese, Yemeni, Macedonian Acts. Aid for Tunisian families. Lump-sum solidarity payment in Algeria.	European Commission, Com (1998) 527 (plus pilot project in Bulgaria). King Badouin Foundation in Belgium. Burundi, Cameroon, Cape Verde, Egypt, Mauritius, Senegal, Togo, Viet Nam, Algeria, Lebanon, India, Bolivia, Guatemala.	Bulgarian and Portuguese Acts. Pilot projects in Ecuador. Youth reception centres in Algiers.	Yemen Bulgaria Burundi (Twitezimbere)	Belgian and Portuguese Acts. Employment Fund in Viet Nam. Algeria: jobs, wages and local initiative programmes (ESIL)
Civil and political rights (social dignity)			Bulgaria: local democracy essential in giving every citizen a say. Viet Nam: the elections were held but the means are lacking.	Yemen: participation important - NGOs can propose projects to the Fund.	Occupational reintegration is key to social dignity and helps escape from poverty and dependence (French, Belgian Acts).
Right to education	Allows enjoyment of right to education, in particular by covering cost.		Portugal: local boards extremely important; receive government financial support. Lebanon: Decisive role of big NGOs in community.	Yemen: Fund plays important role; piloted by National Bank. Burundi: Twitezimbere - very important role.	Training for recipients of guaranteed minimum income and obligation to place beneficiaries in employment programmes run by public authorities (France, Belgium). Portugal has National Fund for companies promoting reintegration.
Right to housing	Good example of French Act.	Provides basic income to meet cost of rent (Yemen, Bulgaria, Lebanon).	Bulgaria: welfare tied to housing unit. Portugal: financial support for local councils.	Yemen: piloted by World Bank - well adapted. Burundi: same.	Local authority role in reintegration in Portugal (local reintegration boards).
Right to health	French Act (reference text), special section on medical welfare. In Yemen sufficient for access to hospital.	Pilot phase in Bulgaria, but still too little financing for projects for disabled.	Bulgaria: drive to restore health security in 2000 for polyclinics, 2001 for hospitals.	Yemen: support for primary health care centres. Bulgaria: pilot phase. Burundi: primary health.	

	1 Guaranteed minimum income (Act)	2 Micro-finance and banking procedures in place	3 Local authorities with real power to help	4 Social investment funds	5 Social welfare- employment link through occupational integration
Right to financial assistance for food	French Act. Portuguese Act (one-year pilot experiment). Yemeni Act (Social Welfare Fund). Bono solidaria in Ecuador.	Problems in Yemen (need to go through NGOs as banks refuse).	Portugal: local board with locally elected members and NGO for initial social survey (in each town). Bulgaria and Yemen.		
Women's rights	Equal rights to income for men and women (but linked to family situation).	Women's access to same financing: Yemeni banks reluctant. Development in Bulgaria, Burundi, Cameroon, Cape Verde, Congo Brazzaville, Egypt, Gabon, Morocco, Mauritius, Senegal, Togo, Tunisia and Viet Nam.	Portugal: wide powers. Bulgaria: welfare for women.	Women's access depends on family situation; great efforts made in Yemen and Burundi. Recruitment of women to police in Algeria.	Portugal: compulsory enrolment in reintegration programme, for women as well.

Analysis of anti-poverty successes
Human rights and extreme poverty
(Reference grid (part 2)

	6 Programmes to promote girls' education (reduction in cost)	7 Programmes in prisons (adolescents, release)	8 Legal aid for the poorest of the poor	9 Programme to involve the poorest (information on their rights)	10 Participation programme for the poorest (information on their rights)	11 Non-corrupt tax and legal system	12 Specific actions for special categories	13 Support for basic goods
Reference	Yemen, Canada Scr national à l'alphabetisa-tion. Becar. Scolar.	Yemen, Cape Verde	Belgium	Portugal, Ecuador (Codenpe)	Belgium + Portugal		Ecuador, Bulgaria, Burundi, Kosovo, Macedonia	Bono solidaria in Ecuador
Civil and political rights	Ecuador, Senegal	Imprisonment of very poor for not paying fines. Should be abolished and replaced by other penalties. Study under way in Cape Verde (USAID).	Priority aim in France, Portugal, Belgium.	Outreach to churches, schools, mosques. Locally and nationally elected representatives (Yemen). Special cases of illegals in Europe. Bulgaria: National Council on Ethnic Problems.		As a matter of principle, combating corruption is an essential component.	Rights of indigenous peoples in Ecuador (Codenpe). Rights of Macedonian Albanians (quotas).	Given to prisoners' families via churches. Problems of access for Indians.
Right to education	Essential in Yemen to prioritize girls' schools, of which there are very few. Portugal: nursery schools recently introduced nation-wide . Becar. Scolar in Ecuador: financial incentive for mothers if children attend school.			Portugal: special training for the most disadvantaged groups, identified by local board (citizens education board). Bulgaria: special programmes with UNDP for the excluded, retirees, single mothers and Gypsies. Ecuador: Codenpe convenes and informs all the indigenous peoples.	Social prevention system (Belgian USPP).	Releases essential financial resources.	Burundi: Batwas NGO. Kosovo: UN refugee protection (Schools).	
Right to housing							NGO: funds for Gypsy housing (Bulgaria).	

	6 Programmes to promote girls' education (reduction in cost)	7 Programmes in prisons (adolescents, release)	8 Legal aid for the poorest of the poor	9 Programme to involve the poorest (information on their rights)	10 Participation programme for the poorest (information on their rights)	11 Non-corrupt tax and legal system	12 Specific actions for special categories	13 Support for basic goods
Right to health	Yemen: birth-control programme (but contraceptives unaffordable).			Availability at health centres allows contact with poorest of poor.		Releases financial resources.	NGO: aid for Gypsies in Bulgaria, for Indians in Ecuador.	
Right to financial assistance for food				Food-distribution centre.	Police could be trained to identify persons needing help.	Bulgaria: problem of the Mafia, which uses the poorest.	Prevent their being refused social assistance.	Funding for cooking gas and electri-city.
Women's rights	First step in Yemen: minimum age for marriage. Media campaign (TV spots) on rights of the child.	Appalling situation of poor women in prison. Great need for care on release also.		Prostitution: move towards ban.	Need to set up youth sections in police services.		Poorest groups (plus prostitu-tion).	Given to women heads of family (via churches).

63. The expert also visited several countries during the second year of her mandate [see her interim report for the other visits (to France, Bulgaria, Yemen, Portugal), paras. 96-108]. In each country she noted that positive anti-poverty experiments had been carried out.

The former Yugoslav Republic of Macedonia

64. The former Yugoslav Republic of Macedonia is in fact in a special situation: transition to democracy, and war on its frontiers. The Government has survived several crises connected with the country's geographical location. It believes that the illegal economy has reached a level of 30 per cent. Sixty-five thousand families receive social assistance. Offices have been opened in every commune. A survey was made of "non-ownership" (even of a motor car) and "non-income" (about 100 dinars a month).

Lebanon

65. The budget of the Ministry of Social Affairs subsidizes the big NGOs in Lebanese communities up to a limit of 80 per cent. Twenty per cent is left for the public service operating in the social sector (Community Centre for Global Services). The National Social Security Fund compensates workers in the event of sickness but does not cover the disabled or retirees. Many elderly persons have a genuine income problem. UNDP has produced several excellent studies on Lebanon, especially at Baalbeck. The expert obtained more detailed knowledge of the poorest regions of the country (Hermel - Akka).

Algeria

66. The social improvements in the prefecture of Algiers show that a real effort has been made in exceptional circumstances. Among the various facilities visited, which were mostly fairly recent (1997-1999), the expert was impressed by the reception and counselling centre for young people in moral danger established by the local solidarity committee right in the middle of Bab-el-Oued.

Ecuador

67. The country is currently experiencing a serious crisis; as a result, the attention given to social spending and thus to the fight against extreme poverty has been reduced. Political decentralization, which is only just beginning, may provide a useful response in the quest for efficient management of social spending. In order to improve aid coordination the World Bank, which is the agency of reference, might strengthen still further its links with the NGOs working in the various regions of the country. The activities of the United Nations and its associated agencies are regarded as a means of making good the enormous social deficits. IMF, with its determination to have debt repayments completed, is a controversial institution outside Government circles, especially in the eyes of the representatives of the indigenous community, which provides the bulk of the poor population.

Burundi

68. The expert held a seminar in Bujumbura which was attended by all the social actors in Burundi. The world embargoes, which are having an impact on agricultural inputs, medicines and school equipment, have no effect in the battle against poverty. The embargo and, in more general terms, the country's international isolation have given rise to corruption, whereas the "honest men" tradition in this African country used to offer protection against corruption. Producing the opposite of the expected result, the embargo and isolation have reinforced groups which have no interest in the return of peace. It is ineffective to make aid dependent on a peace process because people are struggling in poverty every day without even knowing whether a peace process exists. Local authorities are doing important work but they are undermined by the existing situation; when they are present they are always regarded as an excellent interlocutor (as is the mayor of Bujumbura for example). Local authorities legislation will have to be imposed as a matter of urgency in Burundi, once peace is restored, in order to reinforce the structure of local autonomy and monitor the activities of the communes and their capacity to raise taxes.

Gabon

69. Although Gabon is not one of the poorest countries of Africa, poverty is increasing there. The structural adjustment policies and the consequences of the armed conflicts in the region (flows of refugees from the Republic of the Congo) have caused serious problems in Gabon (lack of primary health care, prostitution, street children, etc.).

Albania

70. Poverty in Albania is deep-rooted and structural (lack of infrastructure and hospitals, high cost of medicines), but the family structure is solid. There are few beggars (the occasional Gypsy). The low salary levels in the police force ($100 a month) mean a real risk of police corruption. The Government is hoping to complete its civil-registration programme for the whole population. The independent expert also visited several towns in Kosovo but she considers that the special situation there makes it impossible to identify factors connected solely with extreme poverty, although this phenomenon is certainly present. In addition, the special situation of embargo means that any analysis would be premature at this stage.

III. TECHNICAL COOPERATION

71. In paragraphs 109 and 110 of her interim report the independent expert identified, in general terms, the components which should be included in a technical cooperation programme to ensure respect for the rights of the poorest of the poor. In her final report, on the basis of her visits and the replies to her questionnaire, she has been able to identify with greater accuracy the areas in which technical cooperation in support of human rights can have an impact on situations of extreme poverty. She believes that such a technical cooperation programme must promote and protect the rights of the extremely poor through

capacity-building and consolidation of the rule of law, while giving particular attention to the training of social workers and police officers.

72. Such a technical cooperation project will have to organized at two levels: within the Office of the High Commissioner for Human Rights, and as part of its cooperation with other agencies.

A. Action by the High Commissioner for Human Rights

73. In view of the multidimensional nature of the phenomenon of extreme poverty, it would be wise to incorporate the extreme-poverty dimension in the mandates of the various special rapporteurs and representatives, independent experts, and working groups of the Commission on Human Rights. The existing manuals of the advisory and technical assistance services must identify the links that may exist with extreme poverty, and this dimension must be incorporated in future manuals. More specifically, courses must be devised both for the vulnerable groups affected by extreme poverty and for the professionals who are required to assist and support them in the short and long terms, such as parliamentarians, local authorities (role of the towns), police officers, teachers, social workers, and members of the health professions. Special attention must be given to the informal networks of extremely poor people and to local NGOs, with a view to improving their knowledge of their rights.

B. Inter-agency action

74. Today the whole United Nations system deals with questions of poverty. Many bodies, notably UNDP and the World Bank, provide technical assistance to help the poorest people. The task for the High Commissioner for Human Rights is to implement the programmes proposed and devise new integrated approaches in partnership with these bodies.

75. Within the framework of the strategy produced by the United Nations Development Group and with a view to halving extreme poverty by 2015, the country teams, under the leadership of the United Nations resident coordinators and in collaboration with national partners, must identify the specific areas in which intervention is needed. On the basis of this identification the High Commissioner will be able to promote the incorporation of a human rights approach in the efforts of the United Nations to eradicate extreme poverty at the national level, in particular as part of the Common Country Assessment and the United Nations Development Assistance Framework.

76. Lastly, within the framework of the NetAid initiative the High Commissioner, in collaboration with UNDP, UNICEF, UNESCO, etc., must encourage the dissemination of information available on the NetAid system, with the participation of all the actors concerned with development problems. The High Commissioner should also play a part in the mobilization of the resources needed for the implementation of the concrete development projects proposed through NetAid, with the participation of the poorest of the poor.

IV. CONCLUSIONS

77. Economic globalization or social globalization? The old century's end produced (at last) a very important debate: economic freedom, the foundation of growth, cannot of itself deliver social progress and cannot win the battle against extreme poverty. Socially coherent corrective measures must be brought to bear in this battle, in order to secure respect for the economic and social rights of every man and every woman on the planet.

78. Extreme poverty is a denial of all human rights. This fact establishes an essential link between extreme poverty and the indivisibility of human rights. Nevertheless, action in respect of certain essential needs (food, primary health care, primary education) will help to launch an effective strategy for combating extreme poverty.

79. The lack of political commitment remains a major obstacle in the struggle against extreme poverty. However, some measures are also being paralysed by the weakness of the State and its administrative and economic structures in many nations. The debt burden, armed conflicts, natural disasters and financial crises contribute to this weakness.

80. Legislation establishing a guaranteed minimum income is one of the most effective weapons for fighting extreme poverty. Such legislation is making progress in Europe, Asia and Latin America. Despite the problems of access to microcredit for the poorest people, the microcredit approach is to be encouraged, especially for women. It is a very effective means of structuring the informal market.

81. Non-governmental players, in particular local authorities, have more effective means than States to combat extreme poverty. The immobility of the extremely poor makes it easier to target assistance measures on them. The independent expert noted this fact, especially in Yemen and Burundi, where the social funds under which NGOs pool their efforts, in collaboration with the World Bank, are effective tools for fighting extreme poverty.

82. To fight against poverty is to offer a scrap of power to the poor. But this power is not given, it is obtained. Fighting requires organization. Increased cooperation with the NGOs working in the field with very poor groups should therefore be instituted by the bodies whose mandate is to combat poverty. The contribution of people living in extreme poverty can be decisive in the current debate on sustainable human development and the right to development, especially as today the concept of development is no longer perceived solely from the economic standpoint but from the social and cultural ones as well.

83. The contribution of social workers and NGOs will be crucial: they can provide a platform, identify useful requests, and ensure a hearing for people who have no voice. The expert would like these social workers, operating under public authorities (national, regional, local) or under private bodies (NGOs), to be trained in the global dimension of their profession and in the dimension of respect for human rights which that includes. The battle against extreme poverty can be won. The need is to forge the necessary political will and allow it to triumph.

V. RECOMMENDATIONS

A. A world alliance against extreme poverty

84. The combination of the Bretton Woods institutions and the agencies associated with the United Nations and the World Trade Organization in a world alliance is a necessary condition for the eradication of extreme poverty. The action taken by the United Nations bodies present in a country often seems weak in comparison with the decisive role of the Bretton Woods institutions (especially IMF). An IMF consultant can destroy in a day the patient work of thousands of social actors. In the end, global coherence will impose a single structure in place of three systems marching to different tunes. The construction of this coherence will the most important work of social progress in the 21st century. This international alliance will have to be established in an international instrument on extreme poverty.

85. The expert wishes to refer to the Statement of the President of the Economic and Social Council of July 1999 concerning the world alliance needed for the next century in the fight against poverty. A special team must be established, drawing its members from the United Nations and the international financial institutions, including WTO, to ensure coherence in the struggle for world development.

B. The social impact of the policies of the Bretton Woods institutions

86. For the short term the expert recommends that the Bretton Woods institutions should produce an annual report containing details on each country and an assessment of the social impact of their policies, in regard to the eradication of extreme poverty in particular. These country reports should in future include a summary of the contacts and collaboration with each sector and each specialized agency of the United Nations.

1. IMF and the fight against extreme poverty

87. The role of IMF and its impact on Governments in difficult situations is much more powerful than any influence brought to bear by the United Nations. All agreements with Governments should include a social clause spelling out the social policies which must be kept safe from budget cuts: education, health, basic hygiene, and housing. The expert recommends that the content of this protective social clause should be the subject of a joint report by UNDP, IMF, the World Bank and the High Commissioner for Human Rights, with the aim of protecting the specific aspects of the social policies of the countries involved in the negotiation. Since foreign debt is the subject of a separate report, the expert does not suggest any detailed rescheduling procedure. She considers in general terms that a compensation mechanism for financing spending in the fight against extreme poverty from the funds made available by rescheduling is a priority aspect of the role of the Bretton Woods institutions.

2. The World Bank and the overall coherence of the anti-poverty struggle

88. The expert was impressed by the efforts made by the World Bank and the development of its activities with regard to social policies, in particular the mechanisms for combating extreme poverty. She recommends recourse to the World

Bank social funds and suggests the designation of a focal point for a country's NGOs working to combat extreme poverty; this would also facilitate consistent action throughout the national territory. The problem of the piecemeal, sometimes conflicting, approaches of NGOs in the social sector might then be overcome. The example of the Twitezimbere network in Burundi should be followed. According to the expert's analysis, the World Bank should be encouraged to persevere in its efforts in this area. RED, an NGO network in Guayaquil, is a striking example of the progress that can still be made towards this goal of global coherence. The expert recommends transparency in the choice of projects under such an approach.

C. National human rights institutions

89. National human rights institutions very rarely incorporate the dimension of social and economic rights. Care must be taken to ensure that in every State these institutions are made aware of this dimension's connection with the rights of the extremely poor and do not limit themselves to civil and political rights.

D. Decentralization and local authorities in the fight against poverty

90. Poverty is local and it can be fought only at the local level. The expert studied this specific aspect in all the countries visited and in all the policies of the United Nations organizations and the World Bank. She recommends - as an essential condition of effectiveness - decentralization and recognition of the role of local authorities in social policy in general and in the fight against extreme poverty in particular. However, she considers that the transfer of powers to decentralized bodies in social matters and in the campaign against extreme poverty must always be matched by the resources needed for attainment of the social goals thus transferred to the towns or to local or regional authorities. This transfer of resources may originate from the central State in the form of subsidies or of authority to levy taxes. In this connection the expert examined in several Member States the advantages of a land or real-estate tax. She points out that a decentralization policy, even a very extensive one, must allow the central authorities to retain the power of decision with respect to the consistency of the anti-poverty programmes, the solidarity to be created between rich and poor entities, and the assignment of responsibility for the overall goals to the local authorities. For example: every local entity must eschew ethnic criteria when taking decisions on the granting of assistance. At all events, the central authorities must retain their function of monitoring compliance with the rules (especially in ethnic matters, when a local authority may deviate from them for reasons of internal balance). The involvement of the local civil society in the decision-making process was managed well in the Portuguese Act.

91. The expert considers that a local consensus is crucial: when it exists it can achieve far more than the available resources would seem to allow. This consensus can create jobs and attract economic investments. The work done by the World Alliance of Cities against Poverty, set up by UNDP, has prepared the way in this area; it must be encouraged. And local institutions should offer citizens, including the poor, an opportunity to commit themselves and become involved in the decision-making process, thus working to secure more equitable, transparent and responsible institutions.

E. Good governance

92. It is essential to pursue the struggle against corruption at all levels of society and especially at the level of the State, in order to ensure that social policies are carried through. The expert has realized the extent to which the key minister is the one in charge of finance and therefore of the collection of taxes. Without adequate revenue a State depends on foreign aid for its social policy. It is thus inescapable that the effectiveness of the finance minister is a necessary condition for the implementation of an anti-poverty policy. The expert considers that this key factor relates squarely to the purpose of her report and confirms the globality and indivisibility of rights. Democracy and civil and political rights, when effectively exercised, must allow a poor and numerous people to assert its economic and social rights as well. The organization of the poor and the networks made available to them for exercising their rights must enable them to express freely their needs and aspirations and transform them into mechanisms of democratic power. When confidence in democracy has been destroyed, exceptional efforts must be made to restore it. Corruption undermines democracy. The collection of taxes and their redistribution to people living in extreme poverty is also undermined. It is necessary to implement social policies of democratization designed to secure respect for human rights in countries riven by corruption.

F. The ineluctable responsibility of States

93. Even in a very critical situation a Government always has a choice among various ways of using its budget. It cannot simply let all social assistance be provided through projects subsidized by the specialized agencies of the United Nations or the World Bank. And they cannot agree to cover up the failure of the Government of the Member State in question to take decisions and set priorities in the fight against poverty. The expert recommends that this point should be reported on by the specialized agencies involved in the 20/20 Initiative. The other approach encountered is to let NGOs do the social work without giving them any significant aid. Here again the expert recommends particular vigilance on the part of the specialized agencies, so as to ensure a balance in the activities of NGOs and of the public authorities of the State in the campaign against extreme poverty.

G. The right to a civil status

94. The role of the State with regard to its extremely poor citizens is crucial for the recognition of their right to a civil status. It is essential to define the existence of a human being and thereby be in a position to regard him as extremely poor and then subsequently to bring him within the scope of the anti-poverty programmes. To disregard the existence of an extremely poor person by refusing to accord him a civil status or register him at birth or at the time of his entry into a country is to deny him an essential right. Most of the children begging in the streets in Latin America do not have any civil status and are not recorded in any statistics. In Ecuador, UNDP estimates the number of persons lacking civil status at between five and 10 per cent, and all of them are extremely poor. The expert therefore recommends a systematic programme for the exercise of the right to a civil status by all children as a means of opening up their entitlement to the benefits of social policies.

H. The regularization of the situation of persons without documents

95. In some Member States a lack of civil status does not indicate a failure to register births but rather the loss of civil status due to changes in refugee legislation or in the conditions for residence in these States. This loss of civil status is often accompanied by the loss of all social rights. The expert recommends that the situation of persons living in these States without documents should be regularized, in accordance with suitable criteria which ensure respect for human rights. She stresses the need to encourage in this connection the return programmes established by the International Organization for Migration.

I. The universal ratification of the relevant instruments

96. The 54 States (with a total population of 2.5 billion) which have not yet ratified the International Covenant on Economic, Social and Cultural Rights are requested to do so. A call must also be made for universal ratification of the International Convention on the Elimination of All Forms of Racial Discrimination and the Convention on the Elimination of All Forms of Discrimination against Women. States should have access to the necessary technical assistance for this purpose, provided at their request by the High Commissioner for Human Rights. Attention must be drawn to the importance of the draft optional protocols to the International Covenant on Economic, Social and Cultural Rights and the Convention on the Elimination of All Forms of Discrimination against Women, which are designed to allow their monitoring bodies to receive individual communications. The protection of economic, social and cultural rights would be strengthened by the ratification of regional instruments such as the European Social Charter (amended) and the Protocol of San Salvador on human rights in the area of economic, social and cultural rights. Mention must also be made of the various conventions on slavery, for the traffic in human beings is the modern form of slavery.

J. Microcredit

97. The expert was able to gauge the importance of microcredit in the economic activities of women. These microcredit experiments have been carried out in both rich and poor countries. Women should also be involved in the management of lending institutions instead of being regarded merely as recipients of loans. The adoption of legal frameworks for micro-financing accepted by national banking systems and giving priority to women's needs ought to facilitate the initiatives taken by micro-enterprises, which create jobs and reduce poverty.

K. A minimum guaranteed income and basic social security legislation

98. All national legislation should establish the right of all persons falling within its scope to a minimum guaranteed income and provide the necessary budget resources. This right should facilitate access to the personal rights which underlie the essential social services: social assistance and medical care, food, housing , employment, training, education and culture. In no case can extreme poverty justify the violation of human rights. Where health is concerned, the State should introduce programmes to cover the costs of primary care, hygiene and the specific diseases associated with extreme poverty. Depending on the State and its social situation, access to ownership of land,

farm land in particular, can have an equivalent effect. Legislation on a minimum guaranteed wage is only a first step towards this necessary protection of the poorest people, and a legal link must be established between minimum wages and minimum incomes. The introduction of a minimum hourly wage in the United Kingdom is a noteworthy development.

L. Employment policies and jobs programmes for the very poor

99. Any jobs creation programme must include a component on jobs for extremely poor persons. In addition, national legislation should promote policies for occupational integration or re-integration which target their measures more specifically on the poorest population groups: women, single mothers, adolescent migrants, members of minorities, indigenous peoples, the disabled, persons displaced within their own country, the elderly, and the homeless. Jobs creation and the fact of obtaining a job mark an important stage in the process of escaping from extreme poverty. Jobs-creation organizations must be encouraged by the State (social economy). The example of Terre in Belgium, with its recycling of newspapers and old clothes, is a significant one.

M. Special measures to help extremely poor women

100. The situation of extremely poor women is taken into consideration in each recommendation: employment and re-employment, minimum income, World Bank and social funds, situation of persons without documents, etc. However, several measures can be of direct benefit to these women: an organized and effective campaign against the traffic in human beings, including the sale of organs; the prosecution of prostitution networks; recourse to microcredit; and support for women in prison or having contact with the forces of law and order. The recruitment of women police officers can be a useful means of encouraging a preventive rather than a repressive attitude towards extremely poor women.

N. Extremely poor older persons, especially women

101. The situation of extremely poor older persons is a tragic one in many countries, and population-aging will only exacerbate it. Specific policies must be devised for these people (reception centres, health policies), in particular the women among them. The expert notes the excellent work done by Coalition-99 (the American Association of Retired Persons) during the International Year of Older Persons, which proved extremely useful in:

(a) Ensuring the provision of retirement pensions for women which are adequate to meet their needs for food, clothing, shelter, health care and self-support;

(b) Providing for older women life-long appropriate educational and training programmes for the full development of their potential, taking into account changing socio-economic programmes, technologies and culture;

(c) Promoting the active role of women in society through intergenerational cooperation;

(d) Providing a safer environment for older women, where they can live with dignity, free of exploitation and physical and mental abuse.

102. Mental or physical disability aggravates extreme poverty and often bears a direct correlation to poverty. Cover of the costs of decent residential care must be the goal.

O. The transfer of resources

103. International solidarity with the countries of the third world should be expressed by the allocation of 0.7 per cent of national budgets to official development assistance. The 20/20 Initiative is also to be encouraged, together with the transfer of national and international resources from the military to the social sector. The world economic situation would be more equitable if capital flows were regulated, if the insupportable foreign debt of the heavily indebted poor countries was cancelled, and if a start was made on the democratic reform of the international financial and trade organizations. Encouragement should be given in this connection to the aid programmes for the heavily indebted poor countries within a framework of integrated development proposed by the World Bank. Support must be given to the efforts of OECD, which is also seeking to identify the necessary resources.

P. Information and education for the poorest people concerning their rights (particularly ethnic groups)

104. Specific human rights education techniques must be devised to reach persons in situations of extreme poverty, who are often illiterate. Local authorities should put across the messages by simple means, using the national media and outreach services in the places where these people live. These messages could be backed up by simple handbooks and cartoon strips providing information about the available services. One example is the publication on this topic issued by International Movement ATD Fourth World.

105. Another rarely exercised right of the extremely poor is access to culture. Several initiatives linking culture with poverty have been highlighted by UNDP. The expert recommends measures for free admission to theatres, cinemas and exhibitions for the extremely poor.

106. The expert has considered the Gypsy populations in the former Yugoslav Republic of Macedonia, the Batwas in Burundi, and the Indians in Ecuador: to varying degrees, the main problem is to gain knowledge about these peoples and find ways of reaching them and talking to them about their rights. Specific measures involving social workers must devised for this information activity.

Q. Prison systems and the extremely poor

107. Extreme poverty often brings people into conflict with the forces of law and order and with the justice system. And prison populations consist mainly of extremely poor people. These people remain in prison after serving their terms because they cannot pay their fines. The rules of legal systems must therefore be adjusted to this reality, alternatives to imprisonment must be introduced, and special training must provided for judicial personnel.

108. Specific arrangements must be introduced in all States to ensure free access to legal aid and the assistance of counsel for all extremely poor persons. The available professionals should be given special training.

109. Alternatives to judicial measures, such as mediation, must always be encouraged, provided that they are voluntary. However, human rights must be respected when mediation is used, and it should not supplant recourse to the legal system; mediation could be used to resolve both individual and collective disputes. It could also be used to prevent such disputes. Reception centres operating in parallel with the prison system might also prove effective.

R. The police and the extremely poor

110. Very often, an extremely poor person's only interlocutor will be a police officer (begging, theft, etc.). Few police officers have been trained to deal with extreme poverty in a non-repressive way. The attendance of social workers to provide professional liaison with the police should be encouraged. The training of police forces in human rights in general and in economic, social and cultural rights in particular will be an indicator of progress for the next century. The recruitment of women police officers will secure better respect for the rights of all people. The relations between the police and the social assistance agencies must be entrusted to a special service with specially trained personnel.

S. Social workers and technical assistance

111. Every Government which so requests should be furnished with a technical assistance programme on respect for the human rights of the poorest people, in particular with regard to the training of police officers, prison warders, and the personnel of the judicial system in general.

112. Social workers remain the chief interlocutors of persons living in social exclusion; they are sometimes regarded by these people as agents possessed of enormous powers, whose decisions are hardly subject to discussion or remedy. Accordingly, social workers should be trained to play their part as agents of human rights and experts on the lives of the poorest and most marginalized people. The expert recommends the production of a manual to enable social workers to acquire a deeper knowledge of human rights. Such a manual, addressed to all social workers, would have the following purposes:

(a) To assure them that their work is part of a whole: they are not alone;

(b) To enhance the status of their work: although not always remunerated at its true value, their work is an essential factor in securing respect for human rights, including the economic, social and cultural ones;

(c) To inform them about the international framework (key texts, especially the relevant articles of the Copenhagen Declaration on Social Development;

(d) To provide them with a guide to the best practices and examples of successful action;

(e) To show them the usefulness of the international instruments, especially for purposes of comparison.

T. Specific targeted financial incentives

113. The expert considered various specific measures which have proved useful: support for basic goods, land acquisition, and children's education. She notes however that these measures do not free people from extreme poverty. They should be considered only as associated measures.

U. The effects of sanctions and armed conflicts

114. Refugees and persons displaced within their own country, who are often the poorest of the poor, should receive priority attention in the social policies of States. It must be pointed that access to education for migrants is the key factor in their integration, while contact with a migrant's country of origin is something for the future. International economic sanctions, especially when adopted by the Security Council, must be so designed that they do not aggravate a situation of extreme poverty in the country in question. In particular, they should be compatible with the effective exercise of the human rights of civilians, especially their economic, social and cultural rights. In Burundi, and equally so in Lebanon and Kosovo, the aftermath of the armed conflict has been devastating for the vulnerable population groups. The effects of sanctions and embargoes are negative in this respect.

V. A draft declaration

115. A workshop was held with the independent expert in 1999 with a view to furnishing the international community with the main elements for a draft declaration on human rights and extreme poverty. This declaration would be based on the common preamble of the two international covenants of 1966 and on other relevant instruments which recognize that the ideal of the free human being liberated from fear and poverty can be realised only if the conditions are created to enable all people to exercise all their rights. The conclusions of this workshop are contained in the addendum to the present report (E/CN.4/2000/52/Add.1).